



ICMS #: 2020-1163

August 17, 2020

Complaint: The Office of Police Oversight received a complaint from [REDACTED] alleging that she was harassed by an officer after an accident. She states that he followed her all the way to the hospital and almost came in her hospital room. She further alleges that the officers seemed more worried about the other driver.

This notice of formal complaint is a request for Internal Affairs to initiate an investigation in order to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.

Recommended Administrative Policies to Review (to include but not limited to):

301.1 PURPOSE AND SCOPE

All persons deserve protection by fair and impartial law enforcement and should be able to expect similar police response to their behavior wherever it occurs. Employees will serve the public through direction, counseling, assistance, and protection of life and property. Employees will be held accountable for the manner in which they exercise the authority of their office or position. Employees will respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

303.3.1 WHEN DEPARTMENT ISSUED BWC SYSTEM USE IS REQUIRED

This section is not intended to describe every possible situation where the system may be used. In some circumstances it may not be possible to capture images of an incident due to conditions or location of the camera, however the audio portion can be valuable evidence and is subject to the same activation requirements. The BWC should only be activated for law enforcement purposes.

346.3 CRASH INVESTIGATION

During crash investigations, officers should:

- (a) Identify and interview drivers and occupants.
- (b) Identify and interview any witnesses.

346.5 CRASH REPORTS AND INCIDENT REPORTING

- (d) All CR-3 reports will be completed by the end of the officer's tour of duty or, if authorized by a supervisor, within 24 hours of the reported crash.

402.2 INCIDENT REPORTING

A well-written report can help make a case just as easily as a poorly written report can ruin a case. Employees have the responsibility to write clear, factual, and complete reports.



402.2.4 REPORT WRITING

- (a) All reports shall accurately reflect:
 - 2. All pertinent information seen, heard, or assimilated by any other sense.
- (b) Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing.

402.2.5 REPORT COMPLETION

Employees will complete and download all reports written, including CR-3s, during their shift.

- (a) Prior to downloading reports, employees should:
 - 1. Proofread reports to ensure they are sufficiently detailed for their purpose; and
 - 2. Check initial incident reports for IBR errors and fix them.
- (b) Unless authorized by a supervisor, reports and CR-3s shall be downloaded as follows:
 - 3. All other incident reports shall be downloaded by the end of the employee's tour of duty.
 - 4. With supervisor approval, CR-3s may be turned in the next day, but must be completed within 24 hours.

350.4 VEHICLE INVENTORY

- (a) In all incidents where a vehicle is impounded or moved, officers will make an inventory of the vehicle for damage and any items of personal property. Such an inventory is a care taking function intended to protect:
 - 1. The owner's property while it remains in police custody.
 - 2. The police against claims or disputes over lost or stolen property.
- (b) The scope of the inventory will include:
 - 1. The exterior for body damage.
 - 2. Those places in a vehicle where a person ordinarily would store or leave items of personal property. Those areas can be but are not limited to:
 - (a) Passenger compartment.
 - (b) Trunk, console, glove box, and attached locked containers (e.g., toolbox) if the key is readily available.
 - (c) Open and closed containers.
 - 3. The inventory will include contents of locked containers (e.g., briefcase, footlockers) if the key or combination is readily available. If the key is unavailable, containers/compartments may be opened with supervisor's approval.
- (c) All vehicle damage and personal property located during an inventory of a vehicle will be listed on the APD Wrecker/Impound Report, including its description and location.

900.1.1 RESPONSIBILITY TO KNOW AND COMPLY

The rules of conduct set forth in this order do not serve as an all-inclusive list of requirements, limitations, or prohibitions on employee conduct and activities; employees are required to know and comply with all Department policies, procedures, and written directives.



Recommended Classification: *The OPO is permitted to make a preliminary recommendation on the classification of administrative cases.*

The OPO recommends that this allegation receive an A classification.

